

Application No. 10/692,267  
Response to Office Action

Customer No. 01933

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's allowance of claims 9-38 and the Examiner's indication of the allowability of the subject matter of claim 8 are respectfully acknowledged.

Claim 8, however, has not been rewritten in independent form at this time since, as set forth in detail hereinbelow, it is respectfully submitted that its parent claim 7 also recites allowable subject matter.

THE CLAIM AMENDMENTS

Independent claim 1 has been amended to clarify the feature of the present invention whereby a central portion of the surface temperature detecting sensor faces the central axis of the heating roller. See Figs. 2-7, for example.

In addition, independent claim 7 has been amended to more clearly recite the feature of the present invention whereby during a still state of the fixing roller the temperature controller controls the temperature of the fixing roller based on a first value for the reference temperature, and based on a second value for the reference temperature during rotation of the

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fixing roller, said second value being obtained by adding a preset correction value  $\alpha$  to the first value. See the disclosure at page 81, line 13 to page 92, line 5 and see also Figs. 13(a) and 13(b).

Still further, claim 8 has been amended to better accord with its parent claim 7, and claims 1, 3-5, 7 and 8 have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

#### THE PRIOR ART REJECTION

Claims 1-6 were rejected under 35 USC 102 as being anticipated by USP 6,684,037 ("Tamaoki"), and claim 7 was rejected under 35 USC 103 as being obvious in view of the combination of Tamaoki and USP 6,389,247 ("Chung"). These rejections, however, are respectfully traversed with respect to claims 1-7 as amended hereinabove.

According to the present invention as recited in amended independent claim 1, a central portion of the surface temperature detecting sensor faces the central axis of the heating roller.

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With this structure, heat radiation from the heating roller is more effectively captured by the surface temperature detecting sensor, resulting in more effective temperature control.

Thus, as shown in Figs. 4-6, for example, a line drawn perpendicularly (or within about five degrees, as recited in claim 3) from the center of the surface of the surface temperature detection sensor 53 extends directly through the center axis (51C) of the heating roller 51.

By contrast, it is respectfully submitted that according to Tamaoki the temperature detecting element 5 is offset with respect to the axis of the fixing roller 2 such that a center of the resin film 8 faces a position above the center axis of the fixing roller 2 (see Fig. 5 of Tamaoki).

Therefore, it is respectfully submitted that Tamaoki does not disclose, teach or suggest that a central portion of the surface temperature detecting sensor faces the central axis of the heating roller, as recited in amended independent claim 1.

According to the present invention as recited in clarified amended independent claim 7, moreover, during a still state of the fixing roller the temperature controller controls the temperature of the fixing roller based on a first value for the reference temperature, and based on a second value for the reference temperature during rotation of the fixing roller, said

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second value being obtained by adding a preset correction value  $\alpha$  to the first value.

With this structure, the temperature of the fixing roller can be accurately controlled whether or not the roller is rotating, even though the rotation of the roller influences the detected temperature as shown in Fig. 13(a) and 13(b).

The Examiner acknowledges on page 4 of the Office Action that Tamaoki does not disclose obtaining a reference temperature value by adding a correction value to a reference value. For this reason the Examiner has cited Chung to supply the missing teachings of Tamaoki.

It is respectfully submitted, however, that Chung merely discloses controlling the fixing temperature based on environmental conditions that are determined using a transfer resistance, in response to a request from a controller.

And it is respectfully submitted that Chung clearly does not disclose, teach or suggest using different values for a reference temperature depending on whether or not the fixing roller is rotating, as recited in clarified amended independent claim 7.

In view of the foregoing, it is respectfully submitted that amended independent claims 1 and 7, as well as claims 2-6 and 8 respectively depending therefrom, also patentably distinguish over Tamaoki and Chung, taken singly or in combination, under

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35 USC 102 as well as under 35 USC 103, along with allowed  
claims 9-38.

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Entry of this Amendment, allowance of the claims and the  
passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or  
recommendations, the Examiner is invited to telephone the  
undersigned at the telephone number given below for prompt  
action.

Respectfully submitted,



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